App. F. IX-4

1937-38

Previous References (C-3)

C-3 160-25-14 (C.C. No. 11(40-26)

C-3 63-27-184

G.M. 202-25-1-18

File No. 61/37

Serial Nos. 14 & 3

Later References

P-13

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 14 & 3

Part B for ~~Oct. 1937~~ July 1938

SUBJECT.

Position of Indian States in relation to Slavery Convention

re The Slavery Convention

General and Revenue Secretariat

C.S. File No. 61 of 1937. [App. F. III-

Serial No.	
1	Letter No. 7.1288 dated 24-9 from the Secy to the Resi States that, it has been represented t the League of Nations, that the Continued e of Indian States from India's acceptance o certain articles of the Convention, has give to the suspicion that grave abuses ex in the States and are being deliberately concealed and requests, therefore, to be fu with the Comments, if any of the Govt of in the matter. Subd for orders with refers. The reply s expected at the Residency on or before 1-1 27/9/37.

CS 53-27-(1-4), CA 160-25-10

Reference is invited to [illegible] Residency is [illegible] the [illegible]

NOTE—Contn. Sheet.

WD 0417—GPB—30,000—8-9-36

3514 ✓

File No: . of 193 . | General and Revenue Secretariat

Serial No. 71 D

In reply to a later enquiry in 1928, we re-iterated the ~~ab~~ view previously expressed and added that as the Standard aimed at by the Convention had already been attained here, His Highness' Govt. have not found it necessary to take any further action in the matter.

In the foregoing circumstances if a reservation was made regarding Indian States, by the Govt. of India representative, while accepting the Convention ~~at the~~, it was not due to circumstances prevailing in a State like Mysore nor to any objection raised by us.

It is however proposed to withdraw the reservation now and the Govt. of India wish to know if we have any Comments to make. If no reply is sent by 1-12-1937 our consent will be assumed. As we have all along had no objection to the Convention, no reply need be perhaps sent. Or a reply may be sent saying we have

Submd for objection

CJR
30/9/37
Under Sec

CM 514 3

General and Revenue Secretariat | File No. | of 193 | [App. F. III–2

Serial No.

DEWAN'S OFFICE
7 OCT. 1937
No. 2426

OFFICE OF THE
FIRST MEMBER OF COUNCIL
OCT 5 1937
No 1863

The position of this Government on this question has been explained in our letters of 1926 & 1928. So far as we are concerned the existing reservation may be withdrawn as there are no conditions in this State which are incompatible with the provisions of the Slavery ~~Regulation~~ Convention.

A reply may be sent to the Residency accordingly.

Chief Secy) 4/10

1st member & Dewan } JPR 6/10

MS 2/10

MS 7-10-37 MS 7/10

Draft Sanctd
JPR
9/10/37.

Under Secy) for approval.

Chief Secy) 4/10

For personal hyperissue. 10/10

1st member) MS 10/10

JPR 11/10 MS 11/10

CHIEF SECRETARY
2. OCT. 1937
GOVT. OF MYSORE.

OFFICE OF THE
FIRST MEMBER OF COUNCIL
OCT 11 1937
No 2003

NOTE—Contn. Sheet.

CS File No. 61 of 193 7

General and Revenue Secretariat

Serial No. 2

No. 912/CS Dated 11.10.37

To The Secy to the Resident

State that the Mysore Govt are in full accord with the proposals of H.E. The Crown Representative to withdraw the existing reservation in respect of the State Railways

5 position of Indian States in relation to the Slavery Convention

General and Revenue Secretariat — File No. 61 of 193). [App. F. III—2

Serial No. 3.

Letter no. 7 171 dated 9.7.38 from the Secy to the Resident. Sent for information a copy of letter dated 30.5.38 from the India Office to the Secy-General, League of Nations, giving notice of the withdrawal of the reservation attached to India's acceptance of the Convention. Submitted for perusal with papers.

17/7/38
Under Secretary

In page 6 of the convention Para D. the Secy of State for India has made a reservation in regard to States. That reservation is now withdrawn on the ground that no form of slavery exists in the States & Articles 2 b, 5, 6 & 7 of the Convention are more applicable to these States. No action is called for. This may be filed.

Chief Secy
14/7
13.7

CHIEF SECRETARY, 13 JUL 1938, GOVT. OF MYSORE

B with file

NOTE—Contn. Sheet.

WD 0284—GPB—30,000—13-8-37

All communications should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

6

Kol 530
CB. 514

No. F.1288-37 / R.O. I

Encl. 1-8.

CS 61-37-1

FROM

THE SECRETARY TO THE HON'BLE THE RESIDENT IN MYSORE.

To

The Chief Secretary to the Government of
His Highness the Maharaja of Mysore.

CHIEF SECRETARY CB 25 SEP 193 GOVT. OF MYSORE

Dated Bangalore, 24th September 1937.

POSITION OF INDIAN STATES IN RELATION TO SLAVERY CONVENTION.

SIR,

I am directed to refer to letter from the Government of Mysore No. Pol.8/C.B.63-27-4, dated the 3rd July 1928. Mag. D.

2. It has been represented that the continued exclusion of Indian States from India's acceptance of Articles 2(b), 5, 6 and 7 of the Slavery Convention of 1926, of which copies are enclosed, has given rise at Geneva to the suspicion that, apart from the admitted survival in certain parts of British India of various systems of debt-bondage, graver abuses exist in the States and are being deliberately concealed. It is understood that the League's Advisory Committee of Experts on Slavery, because of this suspicion, are now focussing their attention on conditions in Indian States, and that, since the withdrawal of a similar reservation in respect of certain un-administered tracts in British India, it has become increasingly difficult for the representatives of India at the League to justify the maintenance of the existing reservation in respect of the States.

3. Previous enquiries have already elicited the fact that neither slavery nor conditions analogous to slavery existed in any Indian State, and that the position in regard to compulsory

labour

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labour did not compare unfavourably with the position in British India. His Excellency the Crown Representative feels therefore that he is now justified in presuming that conditions no longer exist in the Indian States which would preclude him from accepting on their behalf the fuller obligations of the Convention, as has been done for the rest of India. He accordingly proposes to withdraw the existing reservation at the earliest opportunity, since he feels sure that Rulers must strongly resent the suspicions to which this reservation has given rise and which he is confident are unreasonable in the light of present conditions.

4. As the action contemplated affects the internal administration of States, I am to address the Government of Mysore, and to ascertain whether they have any comments to make. Their consent will be assumed if their reply does not reach this Residency by the 1st December 1937.

5. It will be seen that both Article 2(b) and Article 5(2) of the Convention contain the words 'progressively and as soon as possible'.

I have the honour to be,

Sir,

Your most obedient servant,

SECRETARY TO THE RESIDENT.

SLAVERY CONVENTION. 8

X X X X X X X

Article 2(b).

The High Contracting Parties undertake, each in respect of the territories placed under its sovereignty, jurisdiction, protection, suzerainty or tutelage, so far as they have not already taken the necessary steps:

To bring about, progressively and as soon as possible, the complete abolition of slavery in all its forms.

Article 5.

The High Contracting Parties recognise that recourse to compulsory or forced labour may have grave consequences and undertake, each in respect of the territories placed under its sovereignty, jurisdiction, protection, suzerainty or tutelage, to take all necessary measures to prevent compulsory or forced labour from developing into conditions analogous to slavery.

It is agreed that:

(1) Subject to the transitional provisions laid down in paragraph (2) below, compulsory or forced labour may only be exacted for public purposes.

(2) In territories in which compulsory or forced labour for other than public purposes still survives, the High Contracting Parties shall endeavour progressively and as soon as possible to put an end to the practice. So long as such forced or compulsory labour exists, this labour shall invariably be of an exceptional character, shall always receive adequate remuneration, and shall not involve the removal of the labourers from their usual place of residence.

(3) In all cases, the responsibility for any recourse to compulsory or forced labour shall rest with the competent central authorities of the territory concerned.

Article 6.

Those of the High Contracting Parties whose laws do not at present make adequate provision for the punishment of infractions of laws and regulations enacted with a view to giving effect to the pruposes of the present Convention undertake to adopt the necessary measures in order that severe penalties may be imposed in respect of such infractions.

Article 7.

The High Contracting Parties undertake to communicate to each other and to the Secretary-General of the League of Nations any laws and regulations which they may enact with a view to the application of the provisions of the present Convention.

"C O P Y"

SUPERINTENDENT, RESIDENT'S OFFICE.

9

9114 C.B. 6/-37-2

Dy 11/10/37

To the Secretary to the Resident

Subject: Position of Indian States in relation to Slavery Convention.

Sir,

I am directed to acknowledge receipt of your letter No. 7.1288-37/R.O.I dated the 24th Sept. 1937, and to state that the position of the Mysore State in respect of this matter has been already explained in this office letters No. Pol.693/C.B.160 25-2d.20.26 and Pol.8/CB63-27-4, d 3.7.1928.

7.H
D

As there are no conditions prevailing in the State which are incompatible with the provisions of the Slavery Convention and the Standard aimed at by the Convention has already been attained here, this Govt. ~~have no obje~~ are in full accord with the proposal of

His Excellency the Crown Representative
to withdraw the existing
reservation in respect of
the States at the earliest
opportunity.

I have etc

MS
10/10

Chief Secretary

KOJ
10.10.

10

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated, Bangalore, 193

No. 914 C.B. 61-37-2

(Camp) Mysore, 11th October 1937.

From

B. T. KESAVAIENGAR, Esq., B. A.,
Chief Secretary to the Government of His Highness the Maharaja of Mysore.

To

H. Trevelyan, Esqr., I.C.S.,
Secretary to the Hon'ble the Resident in Mysore.

Sir,

Subject:- Position of Indian States in relation to Slavery Convention.

Sir,

I am directed to acknowledge receipt of your letter No.F.1288-37/R.O. I, dated the 24th September 1937, and to state that the position of the Mysore State in respect of this matter has been already explained in this office letters No. Pol.693/C.B.160-25-2 dated 20th February 1926 and Pol.8/C.B. 63-27-4, dated the 3rd July 1928.

As there are no conditions prevailing in the State which are incompatible with the provisions of the Slavery Convention and the standard aimed at by the Convention has already been attained here, this Government are in full accord with the proposal of His Excellency the Crown Representative to withdraw the existing reservation in respect of the States at the earliest opportunity.

I have the honour to be,
Sir,
Your most obedient servant,

Chief Secretary to Government.

The reply to this communication should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

11

R. Dis. No. F. 171-38
R.O. I.

Pol 58

CB 62

CB. 61-37-3.

FROM

THE SECRETARY TO THE HON'BLE THE RESIDENT IN MYSORE.

To

The Chief Secretary to the Government of
His Highness the Maharaja of Mysore.

Dated Bangalore, the 9th July *1938.*

CHIEF SECRETARY
CB
9. JU 19
GOVT. OF MYSORE.

Position of Indian States in relation to Slavery Convention.

SIR,

I am directed to refer to the correspondence ending with your letter No.Pol.912/C.B.61-37-2, dated the 11th October 1937, and to forward for information a copy of letter from India Office to the Secretary-General, League of Nations, No.P.Y.644/38, dated the 30th May 1938.

I have the honour to be,
Sir,
Your most obedient servant,

for SECRETARY TO THE RESIDENT.

VNS.

Letter from India Office to the Secretary-General, League of Nations, No.P.Y.644/38, dated the 30th May 1938.

- - - - - -

I am directed by the Secretary of State for India to refer to the memorandum enclosed in Mr.Dibdin's letter No.P.Y. 172/38 of 15th February 1938, in which a further report was promised on the question of slavery in Indian States. Enquiries on this question are now complete and they show that conditions no longer exist in Indian States which preclude the application to them of Articles 2(b), 5, 6 and 7 of the International Convention of 1926 for the Abolition of Slavery and the Slave Trade. The Secretary of State for India therefore gives formal notice hereby, on behalf of India, of the withdrawal of the reservation attached to India's acceptance of the Convention declaring that it was not binding as regards the enforcement of these Articles in the territories in India of any Prince or Chief under the suzerainty of His Majesty.

2. The effect of this notification is to cancel the whole of the remaining portion of the first paragraph of the reservation appended to the Indian signature of the Convention. In consequence the word "also" at the beginning of the second paragraph of the reservation becomes superfluous.

"C O P Y"

T. N. Thangavelu Mudaliar.

Superintendent, Resident's Office.

VNS.